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25 Attorneys for Plaintiff
 26 DAVID KAYNE

27
 28 UNITED STATES DISTRICT COURT
 29
 30 NORTHERN DISTRICT OF CALIFORNIA
 31
 32 SAN FRANCISCO DIVISION

33 DAVID KAYNE, an individual citizen of
 34 Georgia,

35 Plaintiff,

36 v.

37 THE THOMAS KINKADE COMPANY,
 38 formerly known as MEDIA ARTS
 39 GROUP, INC., a Delaware Corporation,,

40 Defendant.

41 CASE NO. C 07-4721 (SI)

42 STIPULATED REQUEST FOR
 43 CONTINUANCE OF CASE MANAGEMENT
 44 CONFERENCE DATE

45
 46 STIPULATION

47 (No. 07-4721 (SI))

1 **STIPULATED REQUEST FOR CONTINUANCE**

2 Plaintiff David Kayne ("Kayne") and Defendant The Thomas Kinkade Company ("TKC")
3 hereby stipulate and submit the following joint request for continuance:

4 WHEREAS, Kayne commenced this case by filing a complaint (the "Complaint") on
5 September 12, 2007;

6 WHEREAS, TKC filed a motion to dismiss (the "Motion to Dismiss") and a motion to
7 strike (the "Motion to Strike") on October 4, 2007;

8 WHEREAS, the Motion to Dismiss and Motion to Strike were originally set by this Court
9 for hearing on December 7, 2007;

10 WHEREAS, the case management conference (the "Case Management Conference") in
11 this matter was also set for hearing on December 7, 2007;

12 WHEREAS, on November 27, 2007, the Court moved the hearing date for the Motion to
13 Dismiss and Motion to Strike to December 18, 2007 due to the Court's unavailability on
14 December 7, 2007;

15 WHEREAS, the Case Management Conference has not been rescheduled and is currently
16 set for hearing on December 7, 2007;

17 WHEREAS, counsel for TKC is located in Los Angeles, California;

18 WHEREAS, counsel will be required to travel to San Francisco on two separate occasions
19 under the schedule as currently set, resulting in substantial additional expenditure of time and
20 money;

21 WHEREAS, Kayne and TKC desire to stipulate to reschedule the Case Management
22 Conference on the terms and conditions set forth herein.

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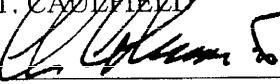
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1 NOW THEREFORE, Kanye and TKC by and through their counsel jointly request that the Court
2 reschedule the Case Management Conference as follows:

3 The Case Management Conference currently scheduled for December 7, 2007 at 2:00 p.m.
4 be continued to December 18, 2007 at 2:00 p.m., or such other time on December 18, 2007 that
5 the Court deems convenient.

6 Dated: November 27, 2007

7 HOLLAND & KNIGHT LLP
CHARLES L. COLEMAN, III
ANDREW T. CALFIELD

8 By: 

9 Charles L. Coleman, III
10 Attorneys for Plaintiff
11 DAVID KAYNE

12 Dated: November 27, 2007

13 McDERMOTT WILL & EMERY LLP
DANA N. LEVITT, PC
CHARLES E. WEIR
JASON D. STRABO

14 By: 

15 Charles E. Weir
16 Attorneys for Defendant
17 THE THOMAS KINKADE COMPANY

18 IT IS SO ORDERED.

19 The date for the Case Management Conference is continued to December 18, 2007 at 9:00 a.m.

20 Dated: _____

21 
Hon. Susan Illston
22 United States District Court Judge